



Journal of the House

State of Indiana

121st General Assembly

Second Regular Session

Ninth Day

Thursday Morning

January 16, 2020

The invocation was offered by Reverend Tom McGilliard of Oak Grove United Methodist Church in Corydon, a guest of Representative Engleman.

The House convened at 10:00 a.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by ladies in white.

The Speaker ordered the roll of the House to be called:

Abbott	Jackson
Austin	Jordan
Aylesworth	Judy
Bacon	Karickhoff
Baird	Kirchhofer
Barrett	Klinker
Bartels	Lauer
Bartlett	Lehe
Bauer	Lehman
Beck	Leonard
Behning	Lindauer
Borders	Lucas
Boy	Lyness
T. Brown	Macer
Burton	Manning
Campbell	May
Candelaria Reardon	Mayfield
Carbaugh	McNamara
Cherry	Miller
Chyung	Moed
Clere	Morris
Cook	Morrison
Davisson	Moseley
Deal	Negele
DeLaney	Nisly
DeVon	Pfaff
Dvorak	Pierce
Eberhart	Porter
Ellington	Prescott
Engleman	Pressel
Errington	Pryor
Fleming	Saunders
Forestal	Schaibley
Frye	Shackleford
GiaQuinta	Sherman
Goodin	Smaltz
Goodrich	V. Smith
Gutwein	Soliday
Hamilton	Speedy
Harris	Steuerwald
Hatcher	Stutzman
Hatfield	Sullivan
Heaton	Summers
Heine	Thompson
Hostettler	Torr
Huston	VanNatter

Vermilion
Wesco
Wolkins
Wright

J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 26: 100 present; 0 excused. The Speaker announced a quorum in attendance. [NOTE: □ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, January 21, 2020, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1077, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1077 as introduced.)

Committee Vote: Yeas 13, Nays 0.

KIRCHHOFFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1091, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 9, line 24, after "institution" insert ", as determined by the state educational institution,".

(Reference is to HB 1091 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1094, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1094 as introduced.)

Committee Vote: Yeas 11, Nays 0.

MCMANARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1104, has

had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1104 as introduced.)

Committee Vote: Yeas 11, Nays 0.

PRESSEL, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Utilities, Energy and Telecommunications, to which was referred House Bill 1109, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, between lines 39 and 40, begin a new paragraph and insert:

"SECTION 5. IC 24-5-12-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 12. The registration statement must contain the following information:

- (1) The name of the seller.
- (2) Whether the seller is doing business as a corporation, a partnership, an individual, or ~~other another~~ legal entity.
- (3) The names under which the seller has done, is doing, or intends to do business.
- (4) The name of any parent or affiliated business that will engage in business transactions with the prospect or will take responsibility for statements made by the seller or a salesperson of the seller.
- (5) The names, dates of birth, business addresses, business telephone numbers, and titles of all the seller's officers, directors, trustees, general partners, general managers, principals, executives, and any other person charged with responsibility for the seller's business activities relating to telephone sales.
- (6) The length of time the seller has:
 - (A) solicited telephone sales; and
 - (B) solicited telephone sales for the items to be offered to the prospect.
- (7) A statement of the amount to be paid by the prospect, or when not known, the approximate amount or range of amount to be paid.
- (8) A complete and detailed description of any service that the seller proposes to undertake to perform for a prospect who purchases the item offered.
- (9) An unexecuted copy of all contracts that may be offered in the transaction being solicited.
- (10) The complete street address or addresses of all locations, designating the principal location from which the seller will be conducting business, and, if the principal location is outside Indiana, a designation of its principal location within Indiana.
- (11) A listing of all telephone numbers to be used by the seller and the address of each location using these numbers.
- (12) A copy of all sales scripts the seller requires salespersons to use when soliciting a prospect or, if no sales script is required to be used, a statement to that effect.
- (13) The name and address of the seller's agent in Indiana, authorized to receive service of process in Indiana.
- ~~(14) A statement as to whether the seller or any of its officers, directors, trustees, general partners, managers, principals, executives, or representatives has been:~~
 - ~~(A) held liable in a civil action for an unfair, false, misleading, or deceptive practice;~~
 - ~~(B) convicted of a crime involving fraud, embezzlement, conversion, or theft during the most recent seven (7) year period; or~~

~~(C) declared bankrupt in any judicial proceeding during the most recent seven (7) year period.~~

~~(15) A statement containing the names of the parties; the name of the court; the cause or docket number of the lawsuit; the date the suit was filed; and the date the judgment was entered; if applicable, for each action under subdivision (14).~~

SECTION 6. IC 24-5-24.7 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Use of Consumer's Social Security Number in Credit Files).".

Renumber all SECTIONS consecutively.

(Reference is to HB 1109 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1120, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Delete page 2.

Page 3, delete lines 1 through 24, begin a new paragraph and insert:

"SECTION 1. IC 35-50-6-0.5, AS ADDED BY P.L.74-2015, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 0.5. The following definitions apply throughout this chapter:

- (1) "Accrued time" means the amount of time that a person is imprisoned or confined.
- (2) "Credit time" means the sum of a person's accrued time, good time credit, and educational credit.
- (3) "Educational credit" means a reduction in a person's term of imprisonment or confinement awarded for participation in an educational, vocational, rehabilitative, or other program.
- (4) "Good time credit" means a reduction in a person's term of imprisonment or confinement awarded for the person's good behavior while imprisoned or confined.
- (5) "Individualized case management plan" means a plan designed to address an incarcerated person's risk of recidivism, and may include:**
 - (A) addiction recovery treatment;**
 - (B) mental health treatment;**
 - (C) vocational education programming;**
 - (D) adult basic education, a high school or high school equivalency diploma, a college diploma, and any other academic educational goal; or**
 - (E) any other programming or activity that encourages productive pursuits while a person is incarcerated and that may reduce the person's likelihood to recidivate after the person's release from incarceration."**

Page 3, delete lines 25 through 42, begin a new paragraph and insert:

"SECTION 2. IC 35-50-6-3.3, AS AMENDED BY P.L.13-2016, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.3. (a) In addition to any educational credit a person earns under subsection (b), or good time credit a person earns under section 3 or 3.1 of this chapter, a person earns educational credit if the person:

- (1) is in credit Class I, Class A, or Class B;
- (2) has demonstrated a pattern consistent with rehabilitation; and
- (3) successfully completes requirements to obtain one (1)

of the following:

(A) A general educational development (GED) diploma under IC 20-20-6 (before its repeal) or IC 22-4.1-18, if the person has not previously obtained a high school diploma.

(B) Except as provided in subsection (o), a high school diploma, if the person has not previously obtained a general educational development (GED) diploma.

(C) An associate degree from an approved postsecondary educational institution (as defined under IC 21-7-13-6(a)) earned during the person's incarceration.

(D) A bachelor degree from an approved postsecondary educational institution (as defined under IC 21-7-13-6(a)) earned during the person's incarceration.

(b) In addition to any educational credit that a person earns under subsection (a), or good time credit a person earns under section 3 or 3.1 of this chapter, a person may earn educational credit if, while confined by the department of correction, the person:

- (1) is in credit Class I, Class A, or Class B;
- (2) demonstrates a pattern consistent with rehabilitation; and
- (3) successfully completes requirements ~~to obtain for~~ at least one (1) of the following:

(A) **To obtain** a certificate of completion of a career and technical or vocational education program approved by the department of correction.

(B) **To obtain** a certificate of completion of a substance abuse program approved by the department of correction.

(C) **To obtain** a certificate of completion of a literacy and basic life skills program approved by the department of correction.

(D) **To obtain** a certificate of completion of a reformatory program approved by the department of correction.

(E) **An individualized case management plan approved by the department of correction.**

A person may not earn educational credit for more than one (1) program under this subdivision for the same program of study.

(c) The department of correction shall establish admissions criteria and other requirements for programs available for earning educational credit under subsection (b). A person may not earn educational credit under both subsections (a) and (b) for the same program of study. The department of correction, in consultation with the department of workforce development, shall approve a program only if the program is likely to lead to an employable occupation.

(d) The amount of educational credit a person may earn under this section is the following:

(1) Six (6) months for completion of a state of Indiana general educational development (GED) diploma under IC 20-20-6 (before its repeal) or IC 22-4.1-18.

(2) One (1) year for graduation from high school.

(3) Not more than one (1) year for completion of an associate degree.

(4) Not more than two (2) years for completion of a bachelor degree.

(5) Not more than a total of one (1) year, as determined by the department of correction, for the completion of one (1) or more career and technical or vocational education programs approved by the department of correction.

(6) Not more than a total of six (6) months, as determined by the department of correction, for the completion of one (1) or more substance abuse programs approved by the department of correction.

(7) Not more than a total of six (6) months, as determined

by the department of correction, for the completion of one (1) or more literacy and basic life skills programs approved by the department of correction.

(8) Not more than a total of six (6) months, as determined by the department of correction, for completion of one (1) or more reformatory programs approved by the department of correction. However, a person who is serving a sentence for an offense listed under IC 11-8-8-4.5 may not earn educational credit under this subdivision.

(9) An amount determined by the department of correction under a policy adopted by the department of correction concerning the individualized case management plan.

However, a person who does not have a substance abuse problem that qualifies the person to earn educational credit in a substance abuse program may earn not more than a total of twelve (12) months of educational credit, as determined by the department of correction, for the completion of one (1) or more career and technical or vocational education programs approved by the department of correction. If a person earns more than six (6) months of educational credit for the completion of one (1) or more career and technical or vocational education programs, the person is ineligible to earn educational credit for the completion of one (1) or more substance abuse programs.

(e) Educational credit earned under this section must be directly proportional to the time served and course work completed while incarcerated. The department of correction shall adopt rules under IC 4-22-2 necessary to implement this subsection.

(f) Educational credit earned by a person under this section is subtracted from the release date that would otherwise apply to the person by the sentencing court after subtracting all other credit time earned by the person.

(g) A person does not earn educational credit under subsection (a) unless the person completes at least a portion of the degree requirements after June 30, 1993.

(h) A person does not earn educational credit under subsection (b) unless the person completes at least a portion of the program requirements after June 30, 1999.

(i) Educational credit earned by a person under subsection (a) for a diploma or degree completed before July 1, 1999, shall be subtracted from:

- (1) the release date that would otherwise apply to the person after subtracting all other credit time earned by the person, if the person has not been convicted of an offense described in subdivision (2); or
- (2) the period of imprisonment imposed on the person by the sentencing court, if the person has been convicted of one (1) of the following crimes:

(A) Rape (IC 35-42-4-1).

(B) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).

(C) Child molesting (IC 35-42-4-3).

(D) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)).

(E) Vicarious sexual gratification (IC 35-42-4-5).

(F) Child solicitation (IC 35-42-4-6).

(G) Child seduction (IC 35-42-4-7).

(H) Sexual misconduct with a minor (IC 35-42-4-9) as a:

(i) Class A felony, Class B felony, or Class C felony for a crime committed before July 1, 2014; or

(ii) Level 1, Level 2, or Level 4 felony, for a crime committed after June 30, 2014.

(I) Incest (IC 35-46-1-3).

(J) Sexual battery (IC 35-42-4-8).

(K) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen (18) years of age.

(L) Criminal confinement (IC 35-42-3-3), if the victim is less than eighteen (18) years of age.

(M) An attempt or a conspiracy to commit a crime listed in clauses (A) through (L).

(j) The maximum amount of educational credit a person may earn under this section is the lesser of:

- (1) two (2) years; or
- (2) one-third (1/3) of the person's total applicable credit time.

(k) Educational credit earned under this section by an offender serving a sentence for stalking (IC 35-45-10-5), a felony against a person under IC 35-42, or for a crime listed in IC 11-8-8-5, shall be reduced to the extent that application of the educational credit would otherwise result in:

- (1) postconviction release (as defined in IC 35-40-4-6); or
- (2) assignment of the person to a community transition program;

in less than forty-five (45) days after the person earns the educational credit.

(l) A person may earn educational credit for multiple degrees at the same education level under subsection (d) only in accordance with guidelines approved by the department of correction. The department of correction may approve guidelines for proper sequence of education degrees under subsection (d).

(m) A person may not earn educational credit:

- (1) for a general educational development (GED) diploma if the person has previously earned a high school diploma; or
- (2) for a high school diploma if the person has previously earned a general educational development (GED) diploma.

(n) A person may not earn educational credit under this section if the person:

- (1) commits an offense listed in IC 11-8-8-4.5 while the person is required to register as a sex or violent offender under IC 11-8-8-7; and
- (2) is committed to the department of correction after being convicted of the offense listed in IC 11-8-8-4.5.

(o) For a person to earn educational credit under subsection (a)(3)(B) for successfully completing the requirements for a high school diploma through correspondence courses, each correspondence course must be approved by the department before the person begins the correspondence course. The department may approve a correspondence course only if the entity administering the course is recognized and accredited by the department of education in the state where the entity is located."

Delete pages 4 through 9.

(Reference is to HB 1120 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1129, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 13, strike "Beginning January 1, 2012, and".

Page 2, line 13, delete "subject" and insert "Subject".

Page 2, line 14, strike "at the".

Page 2, line 15, strike "earliest feasible time" and insert "in accordance with rules adopted by the department".

(Reference is to HB 1129 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

Kirchhofer, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Utilities, Energy and Telecommunications, to which was referred House Bill 1131, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 8-1-2-101.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 101.5. (a) This section applies to an agreement for a:**

(1) water main extension; or

(2) sewer main extension;

that is entered into after June 30, 2020, by a utility and the person requesting the extension.

(b) As used in this section, "utility" means a municipally owned utility (as defined in IC 8-1-2-1(h)) that provides water service or wastewater service, or both, to the public.

(c) A utility is subject to:

(1) 170 IAC 6-1.5, in the case of a water main extension performed in connection with an agreement described in subsection (a)(1); or

(2) 170 IAC 8.5-4, in the case of a sewer main extension performed in connection with an agreement described in subsection (a)(2);

regardless of whether the utility is subject to the jurisdiction of the commission.

(Reference is to HB 1131 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1157, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, between lines 7 and 8, begin a new line block indented and insert:

"(2) the person does not have a prior unrelated conviction in violation of IC 9-30-5 (operating a vehicle while intoxicated) or in violation of IC 35-46-9 or IC 14-15-8 (before its repeal) (operating a motorboat while intoxicated);"

Page 4, line 8, delete "(2)" and insert "(3)".

Page 4, line 9, delete "(3)" and insert "(4)".

Page 4, delete lines 24 through 30, begin a new line block indented and insert:

"(1) the person pleads guilty;

(2) a jury returns a guilty verdict after a jury trial, or

the court returns a guilty verdict in a bench trial; or

(3) of sentencing;"

Page 4, after line 39, begin a new paragraph and insert:

"SECTION 4. IC 9-30-16-6.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6.5. A court and the bureau, if applicable, shall terminate all or any part of the remaining suspension of a person's license suspension under section 1(c) of this chapter or under IC 9-30-6-9 if:

(1) the charges against the person are dismissed;

(2) the person is acquitted; or(3) the person's conviction is vacated or reversed on appeal."

Renumber all SECTIONS consecutively.

(Reference is to HB 1157 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1166, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1166 as introduced.)

Committee Vote: Yeas 11, Nays 0.

PRESSEL, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1209, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 6, begin a new paragraph and insert:

"SECTION 1. IC 12-7-2-76.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 76.1. "Emergency medical services", for purposes of IC 12-15-5-18.5, has the meaning set forth in IC 16-18-2-110.**"

Page 1, line 9, delete "(a) As used in this section,".

Page 1, delete lines 10 through 14.

Page 1, line 15, delete "(b)" and insert "(a)".

Page 1, line 15, after "emergency" insert "**medical**".

Page 1, run in lines 9 through 15.

Page 2, line 3, delete "(c)" and insert "(b)".

Page 2, line 3, delete "must" and insert "**shall**".

Page 2, line 4, delete "emergency".

Page 2, line 6, after "emergency" insert "**medical**".

Page 2, line 7, delete "and".

Page 2, line 8, after "emergency" insert "**medical**".

Page 2, line 8, delete "practice." and insert "**practice; and**".

Page 2, between lines 8 and 9, begin a new line block indented and insert:

"(3) provided during a response initiated through the 911 system regardless of whether the patient was transported."

Page 2, line 9, delete "(d)" and insert "(c)".

Page 2, line 16, delete "means the provision of emergency ambulance services or" and insert "**has the meaning set forth in IC 16-18-2-110.**"

Page 2, delete lines 17 through 20.

Page 2, line 41, delete "and".

Page 3, line 1, delete "practice." and insert "**practice; and**".

Page 3, between lines 1 and 2, begin a new line block indented and insert:

"(3) provided during a response initiated through the 911 system regardless of whether the patient was transported."

Page 3, line 11, delete "means" and insert "**has the meaning set forth in IC 16-18-2-110.**"

Page 3, delete lines 12 through 16.

Page 3, line 25, delete "and".

Page 3, line 27, delete "practice." and insert "**practice; and**".

Page 3, between lines 27 and 28, begin a new line block indented and insert:

"(3) provided during a response initiated through the 911 system regardless of whether the patient was

transported."

Renumber all SECTIONS consecutively.
(Reference is to HB 1209 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

KIRCHHOFFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1210, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1210 as introduced.)

Committee Vote: Yeas 13, Nays 0.

KIRCHHOFFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1224, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1224 as introduced.)

Committee Vote: Yeas 11, Nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1309, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, line 2, delete "an exemption" and insert "**a deduction**".

Page 5, line 9, delete "IC".

(Reference is to HB 1309 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

Wolkins, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 8

Representatives Negele and Pryor introduced House Concurrent Resolution 8:

A CONCURRENT RESOLUTION commemorating the centennial anniversary of Indiana ratifying the 19th Amendment.

Whereas, On January 16, 1920, Indiana ratified the 19th Amendment, which states, "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex";

Whereas, The effort in Indiana to grant women the right to vote began almost 70 years prior, when one of the first women's rights conventions in the country was organized by Randolph County's Amanda Way, a Quaker reformer, and held in Dublin, Indiana;

Whereas, Hoosier women went on to form numerous organizations to encourage the Indiana General Assembly to take favorable action on women's suffrage, including the Equal

Suffrage Society founded by May Wright Sewall, the Woman's Franchise League founded by Grace Julian Clarke and Dr. Amelia Keller, and Branch No. 7 of the Equal Suffrage Association founded in the home of Madam C.J. Walker and chaired by Carrie Barnes Ross;

Whereas, Hoosier women almost won the right to vote in 1883, and again in 1917, but were met with obstacles along the way;

Whereas, Nevertheless, the persistence of brave women and men led to Indiana being the 26th state to ratify the 19th Amendment, with the suffrage amendment going into effect nationwide on August 26, 1920; and

Whereas, Hoosiers should continue to gather inspiration from Indiana's women's suffrage movement and celebrate this important milestone in our state's and nation's history: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes and commemorates the centennial anniversary of Indiana ratifying the 19th Amendment.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the Indiana Women's Suffrage Centennial Commission.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Glick.

House Resolution 4

Representatives V. Smith, Shackelford, Bartlett, Harris, Hatcher, Jackson, Porter, Pryor, Summers, Nisly and Goodin introduced House Resolution 4:

A HOUSE RESOLUTION commemorating Dr. Martin Luther King, Jr. Day.

Whereas, Dr. Martin Luther King, Jr. was one of our nation's truly great leaders;

Whereas, Dr. Martin Luther King, Jr. changed our nation forever through his leadership, service, and clarity of vision;

Whereas, Dr. Martin Luther King, Jr. had many dreams: of an America where "justice rolls down like waters and righteousness like a mighty stream"; where neighbors look "beyond the external accidents and discern those inner qualities that make all men human and, therefore, brothers"; and of a time when "this nation will rise up and live out the true meaning of its creed: 'We hold these truths to be self-evident: that all men are created equal.'";

Whereas, Dr. Martin Luther King, Jr. dreamt of a better society where "the sons of former slaves and the sons of former slave owners will be able to sit down together at the table of brotherhood";

Whereas, Dr. Martin Luther King, Jr. believed that liberty, justice, and freedom were the "inalienable rights" to which all men, women, and children are entitled;

Whereas, Dr. Martin Luther King, Jr. was a spiritual man who believed that all people are created equal in the sight of God and in the dignity and self-worth of every individual;

Whereas, Dr. Martin Luther King, Jr. gave his life defending his beliefs;

Whereas, The visions of Dr. Martin Luther King, Jr. continue to bring hope and inspiration to people of all nations;

Whereas, Dr. Martin Luther King, Jr., a recipient of the Nobel Prize, is a national hero whose birthday is celebrated as a day of peace, love, and understanding by a grateful nation; and

Whereas, All Americans must continue to gather inspiration from the life of Dr. Martin Luther King, Jr. and strive to realize his dreams: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That it is fitting and proper that Dr. Martin Luther King, Jr. be remembered and recognized by future generations of Americans and that all citizens of Indiana honor Dr. King by living out his teachings as we continue to work toward a day when the dignity and humanity of every person are respected.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the family of Dr. Martin Luther King, Jr.

The resolution was read a first time and adopted by voice vote.

Senate Concurrent Resolution 7

The Speaker handed down Senate Concurrent Resolution 7, sponsored by Representative Pierce:

A CONCURRENT RESOLUTION honoring Indiana University in recognition of its Bicentennial Anniversary on January 20, 2020.

Whereas, Congress passed the Ordinance for the Government of the Northwest Territory in 1787, stating, "Religion, morality and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall be forever encouraged";

Whereas, In the legislation admitting Indiana to the State of the Union in 1816, a township of land, vested in the Indiana legislature, was reserved for a seminary of learning;

Whereas, The Indiana Constitution of 1816 stated "It shall be the duty of the General Assembly, as soon as circumstances will permit, to provide by law for a general system of education, ascending in a regular graduation from township schools to a State university, wherein tuition shall be gratis, and equally open to all";

Whereas, On January 20, 1820, the State of Indiana created the State Seminary and appointed a board of trustees to oversee its establishment at Bloomington;

Whereas, The Indiana State Seminary first opened its doors to students on April 4, 1825;

Whereas, On January 24, 1828, the Indiana General Assembly transformed the State Seminary into Indiana College at Bloomington "for the education of youth in the American, learned and foreign languages, the useful arts, Sciences and literature";

Whereas, In 1830, Indiana College observed its first commencement, granting degrees to four students;

Whereas, On February 15, 1838, the Indiana General Assembly converted Indiana College into Indiana University, the name the school still bears today;

Whereas, Starting in 1867, Indiana University began admitting women students on the same basis as men, and the University became a member of the Association of American Universities in 1909;

Whereas, Taking root in the late 19th century, the research ideal has been Indiana University's primary mission along with higher education;

Whereas, Indiana University has developed a statewide network of IU campuses and medical education centers extending from Indiana's southern to northern border, and a global learning environment;

Whereas, Well over a million students have taken courses at Indiana University, and approximately 893,000 degrees have been earned since 1830;

Whereas, Over the past 200 years, Indiana's flagship higher education institution has become one of the nation's leading research universities and made immeasurable contributions to the State of Indiana, the United States of America, and the world; and

Whereas, Indiana University enters its third century poised to continue offering a world-class education that is affordable and accessible to all Hoosiers: Therefore,

*Be it resolved by the Senate
of the General Assembly
of the State of Indiana,
the House of Representatives
concurring:*

SECTION 1. That the Indiana General Assembly honors Indiana University in celebration of its Bicentennial Anniversary on January 20, 2020.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to Dr. Michael A. McRobbie, President of Indiana University, and the Board of Trustees of Indiana University

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 11

The Speaker handed down Senate Concurrent Resolution 11, sponsored by Representative Soliday:

A CONCURRENT RESOLUTION memorializing Thelma Dickey.

Whereas, Thelma Dickey of Valparaiso passed away on December 11, 2019, at the age of 104 years;

Whereas, Born on August 24, 1915, to J.C. and Agatha Sherrick, Thelma graduated from Valparaiso High School and married Max Dickey in 1942;

Whereas, Thelma attended Ball State University to study education, and later earned her Masters of Education from Valparaiso University;

Whereas, Passionate about educating Indiana's youth, Thelma spent 25 years teaching at Cooks Corners and Central Elementary Schools in Valparaiso before retiring in 1970;

Whereas, Throughout her life, Thelma was very active in her community as a lifelong member of First Christian Church, past president of the Delta Theta Tau Sorority, a member of the Library Board, and numerous other organizations;

Whereas, In recognition of her service to the community, Thelma was named Valparaiso's Woman of Distinction in 1965;

Whereas, Thelma was a lifelong fan of the Valparaiso University basketball team and she never missed a Crusader's home game; and

Whereas, Attributing her good, long life to thinking happy, wonderful friends, and drinking scotch, Thelma will be missed by her family, friends, and the Valparaiso community: Therefore,

*Be it resolved by the Senate
of the General Assembly
of the State of Indiana,
the House of Representatives
concurring:*

SECTION 1. That the Indiana General Assembly memorializes Thelma Dickey.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to the family of Thelma Dickey

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill Lists 13 and 14 were read a first time by title and referred to the respective committees:

HB 1015 — Pressel

Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1024 — Torr

Committee on Elections and Apportionment

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

HB 1025 — Harris

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

HB 1026 — Harris

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1028 — Lucas

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

HB 1030 — Burton

Committee on Employment, Labor and Pensions

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1034 — Jackson

Committee on Employment, Labor and Pensions

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1035 — Aylesworth

Committee on Government and Regulatory Reform

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1041 — Lucas

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1045 — Abbott, Frye R, Stutzman, GiaQuinta
Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

HB 1048 — VanNatter
Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1050 — Saunders
Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1053 — Saunders
Committee on Elections and Apportionment

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1054 — Thompson
Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1062 — Zent
Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1063 — Goodrich
Committee on Employment, Labor and Pensions

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1064 — Bacon
Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

HB 1066 — Thompson
Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1088 — Stutzman
Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1089 — Nisly
Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1101 — Bauer
Committee on Commerce, Small Business and Economic Development

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1102 — Bauer
Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1193 — Kirchhofer, Frye R
Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1195 — Judy
Committee on Agriculture and Rural Development

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

HB 1207 — Davisson
Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1211 — Nisly
Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1229 — Lucas
Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

HB 1293 — Lehe
Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

HB 1302 — Mayfield
Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1331 — Carbaugh
Committee on Commerce, Small Business and Economic Development

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

HB 1334 — Eberhart, Moed
Committee on Environmental Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1360—withdrawn

HB 1384 — Eberhart, Moed, VanNatter, Bartels
Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1432 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1433 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1434 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1435 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1436 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.

HB 1437 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.

HB 1438 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.

HB 1439 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.

HB 1440 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.

HB 1441 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.

HB 1442 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.

HB 1443 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.

HB 1444 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.

HB 1445 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.

HB 1446 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.

HB 1447 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.

HB 1448 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.

HB 1449 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.

HB 1450 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.

HB 1451 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.

HB 1452 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.

HB 1453 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.

HB 1454 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.

HB 1455 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.

HB 1456 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.

HOUSE BILLS ON SECOND READING

House Bill 1006

Representative Kirchhofer called down House Bill 1006 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1006–10)

Mr. Speaker: I move that House Bill 1006 be amended to read as follows:

Page 4, line 41, reset in roman "least".

Page 10, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 21. IC 7.1-6-1-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.5. "Tobacco" means any product containing, made of, or derived from tobacco or nicotine that is:**

(1) intended for human consumption; and

(2) likely to be consumed by inhalation, absorption, or ingestion.

The term includes a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus."

Page 10, line 25, after "Drug" insert ",."

Page 10, delete lines 27 through 35.

Page 12, line 11, after "(C)" insert "**shall have**".

Page 12, line 12, delete "shall be".

Page 12, line 20, after "(C)" insert "**shall have**".

Page 12, line 21, delete "shall be".

Page 12, line 30, after "(C)" insert "**shall have**".

Page 12, line 31, delete "shall be".

Page 13, reset in roman lines 23 through 28.

Page 13, line 29, reset in roman "(h)".

Page 13, line 29, delete "(g)".

Page 14, line 17, delete "that" and insert "that:".

Page 14, line 18, reset in roman "(i)".

Page 14, reset in roman lines 22 through 23.

Page 14, line 21, reset in roman "and".

Page 20, delete lines 1 through 7, begin a new paragraph and insert:

"(f) Unless the person buys or receives tobacco ~~or an electronic cigarette products~~ under the direction of a law enforcement officer as part of an enforcement action, a person who sells or distributes tobacco ~~or an electronic cigarette products~~ is not liable for a violation of this section unless the person less than ~~eighteen (18)~~ **twenty-one (21)** years of age who bought or received the tobacco ~~or electronic cigarette products~~ is issued a citation or summons under section 10.5 of this chapter."

Page 20, line 8, delete "(f)" and insert "(g)".

Page 20, line 13, delete "(g)" and insert "(h)".

Page 20, line 16, delete "(h)" and insert "(i)".

Page 21, line 1, after "(C)" insert "**shall have**".

Page 21, line 2, delete "shall be".

Page 21, line 11, after "(C)" insert "**shall have**".

Page 21, line 12, delete "shall be".

Page 22, delete lines 20 through 26, begin a new paragraph and insert:

"(f) Unless a person buys or receives tobacco ~~or an electronic cigarette products~~ under the direction of a law enforcement officer as part of an enforcement action, a retail establishment that sells or distributes tobacco ~~or an electronic cigarette products~~ is not liable for a violation of this section unless the person less than ~~eighteen (18)~~ **twenty-one (21)** years of age who bought or received the tobacco ~~or electronic cigarette products~~ is issued a citation or summons under section 10.5 of this chapter."

Page 22, line 27, reset in roman "(g)".

Page 22, line 27, delete "(f)".

Page 22, delete lines 33 through 42, begin a new paragraph and insert:

"SECTION 39. IC 35-46-1-10.5, AS AMENDED BY P.L.20-2013, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10.5. (a) A person less than ~~eighteen (18)~~ **twenty-one (21)** years of age who:

- (1) purchases a tobacco ~~or an electronic cigarette;~~ **product;**
- (2) accepts a tobacco ~~or an electronic cigarette product~~ for personal use; or
- (3) possesses a tobacco ~~or an electronic cigarette product~~ on his ~~or her~~ person;

commits a Class C infraction.

(b) It is a defense under subsection (a) that the accused person acted in the ordinary course of employment in a business concerning tobacco ~~or electronic cigarettes products including the following activities:~~

- (1) Agriculture.
- (2) Processing.
- (3) Transporting.
- (4) Wholesaling, ~~or~~
- (5) Retailing."

Page 23, delete lines 1 through 5.

Renumber all SECTIONS consecutively.

(Reference is to HB 1006 as printed January 10, 2020.)

KIRCHHOFFER

Motion prevailed.

HOUSE MOTION (Amendment 1006-4)

Mr. Speaker: I move that House Bill 1006 be amended to read as follows:

Page 27, after line 14, begin a new paragraph and insert:

"SECTION 45. IC 35-46-1-11.9 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 11.9. A person who knowingly sells a tobacco product that contains vitamin E acetate commits a Class B infraction.**"

Renumber all SECTIONS consecutively.

(Reference is to HB 1006 as printed January 10, 2020.)

PRESCOTT

Motion prevailed.

HOUSE MOTION (Amendment 1006-8)

Mr. Speaker: I move that House Bill 1006 be amended to read as follows:

Page 27, after line 14, begin a new paragraph and insert:

"SECTION 45. IC 35-46-1-11.9 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 11.9. A person who knowingly sells a tobacco product that contains vitamin E acetate commits a Class A infraction.**"

Renumber all SECTIONS consecutively.

(Reference is to HB 1006 as printed January 10, 2020.)

AUSTIN

Upon request of Representatives GiaQuinta and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 28: yeas 40, nays 57. Motion failed.

HOUSE MOTION (Amendment 1006-9)

Mr. Speaker: I move that House Bill 1006 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 6-2.5-8-7, AS AMENDED BY P.L.80-2019, SECTION 2, AND AS AMENDED BY P.L.234-2019, SECTION 6, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) The department may, for good cause, revoke a certificate issued under section 1, 3, or 4 of this chapter. However, the department must give the certificate holder at least five (5) days notice before it revokes the certificate under this subsection. Good cause for revocation may include the following:

(1) Failure to:

(A) file a return required under this chapter or for any tax collected for the state in trust; or

(B) remit any tax collected for the state in trust.

(2) Being charged with a violation of any provision under IC 35.

(3) Being subject to a court order under IC 7.1-2-6-7, IC 32-30-6-8, IC 32-30-7, or IC 32-30-8.

(4) Being charged with a violation of IC 23-15-12.

(5) *Operating as a retail merchant where the certificate issued under section 1 of this chapter could have been denied under section 1(e) of this chapter prior to its issuance.*

The department may revoke a certificate before a criminal adjudication or without a criminal charge being filed. If the department gives notice of an intent to revoke based on an alleged violation of subdivision (2), the department shall hold a public hearing to determine whether good cause exists. If the department finds in a public hearing by a preponderance of the evidence that a person has committed a violation described in subdivision (2), the department shall proceed in accordance with subsection (i) (if the violation resulted in a criminal conviction) or subsection (j) (if the violation resulted in a judgment for an infraction).

(b) The department shall revoke a certificate issued under section 1, 3, or 4 of this chapter if, for a period of three (3) years, the certificate holder fails to:

(1) file the returns required by IC 6-2.5-6-1; or

(2) report the collection of any state gross retail or use tax on the returns filed under IC 6-2.5-6-1.

However, the department must give the certificate holder at least five (5) days notice before it revokes the certificate.

(c) The department may, for good cause, revoke a certificate issued under section 1 of this chapter after at least five (5) days notice to the certificate holder if:

(1) the certificate holder is subject to an innkeeper's tax under IC 6-9; and

(2) a board, bureau, or commission established under IC 6-9 files a written statement with the department.

(d) The statement filed under subsection (c) must state that:

(1) information obtained by the board, bureau, or commission under IC 6-8.1-7-1 indicates that the certificate holder has not complied with IC 6-9; and

(2) the board, bureau, or commission has determined that significant harm will result to the county from the certificate holder's failure to comply with IC 6-9.

(e) The department shall revoke or suspend a certificate issued under section 1 of this chapter after at least five (5) days notice to the certificate holder if:

- (1) the certificate holder owes taxes, penalties, fines, interest, or costs due under IC 6-1.1 that remain unpaid at least sixty (60) days after the due date under IC 6-1.1; and
- (2) the treasurer of the county to which the taxes are due requests the department to revoke or suspend the certificate.

(f) The department shall reinstate a certificate suspended under subsection (e) if the taxes and any penalties due under IC 6-1.1 are paid or the county treasurer requests the department to reinstate the certificate because an agreement for the payment of taxes and any penalties due under IC 6-1.1 has been reached to the satisfaction of the county treasurer.

(g) The department shall revoke a certificate issued under section 1 of this chapter after at least five (5) days notice to the certificate holder if the department finds in a public hearing by a preponderance of the evidence that the certificate holder has violated IC 35-45-5-3, IC 35-45-5-3.5, or IC 35-45-5-4.

(h) If a person makes a payment for the certificate under section 1 or 3 of this chapter with a check, credit card, debit card, or electronic funds transfer, and the department is unable to obtain payment of the check, credit card, debit card, or electronic funds transfer for its full face amount when the check, credit card, debit card, or electronic funds transfer is presented for payment through normal banking channels, the department shall notify the person by mail that the check, credit card, debit card, or electronic funds transfer was not honored and that the person has five (5) days after the notice is mailed to pay the fee in cash, by certified check, or other guaranteed payment. If the person fails to make the payment within the five (5) day period, the department shall revoke the certificate.

(i) If the department finds in a public hearing by a preponderance of the evidence that a person has a conviction for ~~a violation of IC 35-48-4-10.5~~ an offense under IC 35-48-4 and the conviction involved the sale of or the offer to sell, in the normal course of business, a synthetic drug ~~or~~ (as defined in IC 35-31.5-2-321), a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)), a controlled substance analog (as defined in IC 35-48-1-9.3), or a substance represented to be a controlled substance (as described in IC 35-48-4-4.6) by a retail merchant in a place of business for which the retail merchant has been issued a registered retail merchant certificate under section 1 of this chapter, the department:

- (1) shall suspend the registered retail merchant certificate for the place of business for one (1) year; and
- (2) may not issue another retail merchant certificate under section 1 of this chapter for one (1) year to any person:

(A) that:

(i) applied for; or

(ii) made a retail transaction under;

the retail merchant certificate suspended under subdivision (1); or

(B) that:

(i) owned or co-owned, directly or indirectly; or

(ii) was an officer, a director, a manager, or a partner of;

the retail merchant that was issued the retail merchant certificate suspended under subdivision (1).

(j) If the department finds in a public hearing by a preponderance of the evidence that a person has a judgment for a violation of IC 35-48-4-10.5 (before its repeal on July 1, 2019) as an infraction and the violation involved the sale of or the offer to sell, in the normal course of business, a synthetic drug or a synthetic drug lookalike substance by a retail merchant in a place of business for which the retail merchant has been issued a registered retail merchant certificate under section 1 of this chapter, the department:

- (1) may suspend the registered retail merchant certificate for the place of business for six (6) months; and
- (2) may withhold issuance of another retail merchant

certificate under section 1 of this chapter for six (6) months to any person:

(A) that:

(i) applied for; or

(ii) made a retail transaction under;

the retail merchant certificate suspended under subdivision (1); or

(B) that:

(i) owned or co-owned, directly or indirectly; or

(ii) was an officer, a director, a manager, or a partner of;

the retail merchant that was issued the retail merchant certificate suspended under subdivision (1).

(k) If the department finds in a public hearing by a preponderance of the evidence that a person has a conviction for a violation of IC 35-48-4-10(d)(3) and the conviction involved an offense committed by a retail merchant in a place of business for which the retail merchant has been issued a registered retail merchant certificate under section 1 of this chapter, the department:

- (1) shall suspend the registered retail merchant certificate for the place of business for one (1) year; and
- (2) may not issue another retail merchant certificate under section 1 of this chapter for one (1) year to any person:

(A) that:

(i) applied for; or

(ii) made a retail transaction under;

the retail merchant certificate suspended under subdivision (1); or

(B) that:

(i) owned or co-owned, directly or indirectly; or

(ii) was an officer, a director, a manager, or a partner of;

the retail merchant that was issued the retail merchant certificate suspended under subdivision (1).

(l) If the department finds in a public hearing by a preponderance of the evidence that a person has three (3) unrelated judgments within a three hundred sixty-five (365) day period for a violation of IC 35-46-1-11.9 as an infraction and the violation involved the sale of or the offer to sell, in the normal course of business, a tobacco product that contains vitamin E acetate by a retail merchant in a place of business for which the retail merchant has been issued a registered retail merchant certificate under section 1 of this chapter, the department:

- (1) shall suspend the registered retail merchant certificate for the place of business for six (6) months; and**
- (2) shall withhold issuance of another retail merchant certificate under section 1 of this chapter for six (6) months to any person:**

(A) that:

(i) applied for; or

(ii) made a retail transaction under;

the retail merchant certificate suspended under subdivision (1); or

(B) that:

(i) owned or co-owned, directly or indirectly; or

(ii) was an officer, a director, a manager, or a partner of;

the retail merchant that was issued the retail merchant certificate suspended under subdivision (1)."

**Page 27, after line 14, begin a new paragraph and insert:
"SECTION 45. IC 35-46-1-11.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11.9. A person who knowingly sells a tobacco product that contains vitamin E acetate commits a Class A infraction."**

Renumber all SECTIONS consecutively.

(Reference is to HB 1006 as printed January 10, 2020.)

AUSTIN

Motion withdrawn. The bill was ordered engrossed.

House Bill 1022

Representative Torr called down House Bill 1022 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1032

Representative Miller called down House Bill 1032 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1049

Representative Heaton called down House Bill 1049 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1096

Representative Young called down House Bill 1096 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1143

Representative Morrison called down House Bill 1143 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1148

Representative Ellington called down House Bill 1148 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1151

Representative Mayfield called down House Bill 1151 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1151-2)

Mr. Speaker: I move that House Bill 1151 be amended to read as follows:

Page 3, line 4, after "officer." insert **"This term does not include a private security guard employed by a school corporation or charter school who does not meet the requirements described in IC 20-26-18.2-2(a)(4).**

SECTION 2. IC 20-26-18.2-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 5. (a) A school corporation or charter school served by a school resource officer employed for the protection of the school corporation or charter school under section 2 of this chapter shall annually report the:**

(1) number of school resource officers serving the school corporation or charter school; and
(2) location of each school served by a school resource officer described in subdivision (1);

to the department of homeland security before September 1.

(b) The department of homeland security shall annually compile the information reported under subsection (a) and submit an annual report containing the:

(1) number of school resource officers employed in Indiana; and

(2) location of each school served by a school resource officer;

to the legislative council in an electronic format under IC 5-14-6 before October 1."

Renumber all SECTIONS consecutively.

(Reference is to HB 1151 as printed January 14, 2020.)

WRIGHT

Motion withdrawn. The bill was ordered engrossed.

House Bill 1173

Representative Frye called down House Bill 1173 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1090, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 12 through 13.

Page 2, line 14, delete "Sec. 6." and insert **"Sec. 5."**

Page 2, line 21, delete "Sec. 7." and insert **"Sec. 6."**

(Reference is to HB 1090 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 1.

Zent, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred House Bill 1119, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 15-16-4-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.5. As used in this chapter, "adverse effect" has the meaning set forth in IC 15-16-5-0.5.

SECTION 2. IC 15-16-4-3, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. As used in this chapter, "adulterated" refers to a pesticide or pesticide product if:

(1) the strength or purity of the pesticide ~~falls below~~ does not meet the professed standard or quality as expressed on its labeling under which it is sold;

(2) any substance has been substituted wholly or in part for the pesticide product; or

(3) any valuable constituent of the pesticide product has been wholly or in part removed.

SECTION 3. IC 15-16-4-10, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. As used in this chapter, "device" means any instrument or contrivance intended for trapping, destroying, repelling, or mitigating ~~insects or rodents~~ ~~or destroying, repelling, or mitigating~~ any pest. The term does not include:

(1) equipment used for the application of pesticides when sold separately from the pesticides;

(2) firearms; or

(3) simple mechanical devices, including barriers, traps, or adhesives, or other simple contrivances that are not subject to this chapter as determined by the pesticide review board.

SECTION 4. IC 15-16-4-14, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. As used in this chapter,

"fungi" means all nonchlorophyll-bearing thallophytes (all nonchlorophyll-bearing plants of a lower order than mosses and liverworts); including:

- (1) rusts;
- (2) smuts;
- (3) mildews;
- (4) molds;
- (5) yeasts;
- (6) bacteria; and
- (7) viruses;

except those on or in a living human or other animal: "fungus" has the meaning set forth in IC 15-16-5-14.

SECTION 5. IC 15-16-4-18, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 18. As used in this chapter, "immediate container" means the part of a container that is in direct contact with a pesticide. ~~product.~~ **In the case of a pesticide product that is a device, the term includes the device itself.**

SECTION 6. IC 15-16-4-34, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 34. As used in this chapter, "plant regulator" means any substance or mixture of substances, intended through physiological action, for:

- (1) accelerating or retarding the rate of growth or rate of maturation; or
- (2) altering the behavior of ornamental or crop plants or the produce of ornamental or crop plants.

The term does not include substances ~~to the extent they~~ that are intended **solely** as plant nutrients, trace elements, nutritional chemicals, plant inoculants, and soil amendments.

SECTION 7. IC 15-16-4-56, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 56. For more than one (1) pesticide product to be considered the same pesticide product, each pesticide product must exhibit the same:

- (1) product name;
- (2) registrant name;
- (3) United States Environmental Protection Agency registration number, **if applicable; and**
- (4) labeling, **claims, and branding; and**
- (5) **ingredient statement.**

SECTION 8. IC 15-16-4-61, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 61. (a) Each pesticide product that is:

- (1) produced, distributed, sold, displayed, or offered for sale within Indiana; or
- (2) delivered for transportation or transported:
 - (A) in intrastate commerce; or
 - (B) between points within Indiana through any point outside Indiana;

must be registered in the office of the state chemist.

(b) The application for registration must be made on a form provided by the state chemist that includes the following information:

- (1) The name and address of the:
 - (A) applicant; and
 - (B) person whose name will appear on the label, if a person other than the applicant.
- (2) The complete brand name of the pesticide **product.**
- (3) A complete copy of the labeling accompanying the pesticide **product.**
- (4) ~~A statement of all claims to be made for it, including directions for use.~~
- (5) ~~If requested by the state chemist, a full description of the tests made and the results of the tests upon which the claims are based. In the case of renewal of registration, a statement shall be required only with respect to information that is different from that furnished when the~~

~~pesticide was registered or last reregistered.~~

SECTION 9. IC 15-16-4-62, AS AMENDED BY P.L.99-2012, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 62. (a) Each registrant shall pay an annual, nonrefundable **application** fee of one hundred seventy dollars (\$170) for each application for each pesticide product submitted for registration **or reregistration.**

(b) Each registration expires January 1 of each year.

(c) All fees collected by the state chemist under this chapter shall be paid to the treasurer of Purdue University, who shall deposit the fees in a special restricted account designated by the treasurer of the board of trustees of Purdue University.

(d) From the account described in subsection (c), the treasurer shall pay all expenses incurred in administering this chapter, including expenses for the following:

- (1) The employment of:
 - (A) inspectors;
 - (B) investigators;
 - (C) researchers;
 - (D) analysts;
 - (E) administrators; and
 - (F) clerical and service staff.
- (2) Expenses in procuring samples and printing results of inspections.
- (3) Purchasing:
 - (A) supplies;
 - (B) equipment; and
 - (C) services.
- (4) Necessary remodeling.
- (5) Other expenses of the office of the state chemist.
- (6) The transfer of ten dollars (\$10) from each fee paid under subsection (a) on an annual basis to the office of Purdue pesticide programs to provide education about the safe and effective use of pesticides.

The treasurer is not required to use any other funds, except those collected as registration fees, to pay any expenses incurred in the administration of this chapter. The dean of agriculture shall make an annual financial report to the governor showing total receipts and expenditures of all fees received under this chapter.

(e) A registrant who registers or pays an annual fee after December 31 of any year shall pay a late fee of one hundred seventy dollars (\$170) as well as the annual fee.

(f) Excess funds from the collection of fees under this chapter are subject to IC 15-16-2-36.

SECTION 10. IC 15-16-4-64, AS ADDED BY P.L.120-2008, SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 64. (a) The state chemist ~~shall~~ **may** require the submission of the complete formula of any pesticide product, including the:

- (1) confidential statement of formula;
- (2) analytical methods for the analysis of the pesticide formulation and the analysis of residues of the pesticide product in environmental media; ~~and~~
- (3) analytical standards of the pesticide product;
- (4) **safety data sheet;**
- (5) **physical sample of the pesticide product; and**
- (6) **a statement of all claims to be made for the pesticide product, including a full description of the tests made and the results of the tests upon which the claims are based.**

In the case of a federally registered product, this requirement may be waived.

(b) The state chemist shall register a pesticide product if:

- (1) the state chemist determines that the composition of the pesticide product warrants the proposed claims for the pesticide product;
- (2) the pesticide product, its labeling, and other material required to be submitted comply with the requirements of

section 61 of this chapter; and

(3) the state chemist determines that the person submitting the application for registration has complied with the requirements of this chapter, **including satisfying all outstanding judgments resulting from a violation of this chapter, after any action has been finalized under section 64.5 of this chapter.**

(c) The state chemist shall notify the applicant that the pesticide product, labeling, or other material required to be submitted fails to comply with the law if the state chemist determines:

- (1) that the proposed claims for the pesticide product; or
- (2) the pesticide product, its labeling, and other material required to be submitted;

does not comply with this chapter, **including satisfying all outstanding judgments resulting from a violation of this chapter, after any action has been finalized under section 64.5 of this chapter.**

(d) If the state chemist notifies an applicant under subsection (c), the state chemist shall give the applicant an opportunity to make the necessary corrections. If upon receipt of notice, the applicant does not make the corrections, the state chemist may refuse to register the pesticide product.

(e) The state chemist, in accordance with the procedures specified in this section, may deny, suspend, or cancel the registration of a pesticide whenever the state chemist determines that:

- (1) the pesticide product;
- (2) the pesticide product's labeling; or
- (3) the person submitting the application for registration of the pesticide product;

does not comply with this chapter, **including satisfying all outstanding judgments resulting from a violation of this chapter, after any action has been finalized under section 64.5 of this chapter.**

(f) If:

- (1) an application for registration is refused; or
- (2) the state chemist proposes to deny, suspend, or cancel a registration;

notice of the action and information concerning the person's right to obtain a review under section 64.5 of this chapter must be given to the applicant or registrant.

SECTION 11. IC 15-16-4-69, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 69. (a) Subject to this section, if a person violates this chapter or a rule adopted under this chapter, the state chemist under IC 4-21.5-3-6 may warn, cite, or impose a civil penalty on the person or:

- (1) deny;
- (2) suspend;
- (3) revoke; or
- (4) amend;

the person's registration under this chapter.

(b) The state chemist may impose civil penalties **under this section** only in accordance with the schedule of civil penalties adopted by the board. The board shall establish a schedule of the civil penalties that may be imposed under subsection (a) by rule adopted under IC 4-22-2. The rule adopted under this subsection may not provide for a civil penalty that exceeds the following:

- (1) ~~Two hundred fifty Five hundred~~ dollars (~~\$250~~) (**\$500**) for a person's first violation.
- (2) ~~Five hundred One thousand~~ dollars (~~\$500~~) (**\$1,000**) for a person's second violation.
- (3) ~~One Two thousand five hundred~~ dollars (~~\$1,000~~) (**\$2,500**) for a person's third violation and each subsequent violation.

(c) If a violation is of a continuing nature, the state chemist may impose a civil penalty for each day that the violation occurred.

(d) (c) A proceeding under IC 4-21.5-3 that involves the

imposition of a civil penalty may be consolidated with any other proceeding commenced under IC 4-21.5 to enforce this chapter or the rules adopted under this chapter.

(e) (d) Money collected for civil penalties imposed under this section shall be credited to the office of Purdue pesticide programs. The money may be used only to provide education about pesticides.

SECTION 12. IC 15-16-4-73, AS ADDED BY P.L.120-2008, SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 73. (a) Except as provided in subsection (f), if the state chemist:

(1) finds any pesticide product:

- (A) upon any premises; or
- (B) in any means of conveyance;

where it is held for purposes of, or during or after, distribution or sale; and

(2) determines that the pesticide product:

- (A) is in violation of this chapter; or
- (B) has been or is intended to be:

- (i) distributed;
- (ii) sold; or
- (iii) used;

in violation of this chapter;

the state chemist may issue an order under subsection (b).

(b) The state chemist may issue a written or printed:

- (1) stop sale;
- (2) use; or
- (3) removal;

order to the owner or custodian of a pesticide product.

(c) Except as provided in subsection (d), after receiving an order under subsection (b), the owner or custodian of a pesticide product may not:

- (1) sell;
- (2) use; or
- (3) remove;

the pesticide product described in the order.

(d) The owner or custodian of a pesticide product who receives an order under subsection (b) may:

- (1) sell;
- (2) use; or
- (3) remove;

the pesticide product only in accordance with the order or until the pesticide product is released in writing by the state chemist or by order of a court.

(e) When a stop sale order is issued under subsection (b), the state chemist shall ~~immediately~~ issue a notification to the dealer or registrant of the pesticide product **within thirty (30) days** that states the following:

- (1) A stop sale order has been issued on the pesticide product.
- (2) A reference to the specific language of the law or rule that is believed to have been violated.

(f) Labels of pesticide devices may be submitted to the state chemist for ~~approval~~ **evaluation of the need for registration under this chapter** before the sale of the pesticide device.

SECTION 13. IC 15-16-5-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 0.5. As used in this chapter, "adverse effect" means a pesticide exposure to a nontarget site that results in:

- (1) pesticide residues in excess of established food or feed tolerances established by the United States Environmental Protection Agency;
- (2) environmental media standards or benchmarks for pesticides established by a federal or state agency; or
- (3) visible, measureable, or documented:
 - (A) death;
 - (B) illness;
 - (C) stunting;
 - (D) deformation;

- (E) discoloration; or
(F) other effects;

that are detrimental to the nontarget site.

SECTION 14. IC 15-16-5-7, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. As used in this chapter, "commercial applicator" means a certified applicator, whether or not a private applicator with respect to some uses, who uses or supervises the use of ~~pesticides~~ **pesticide products** for any purpose or on any property other than as provided by section 30 of this chapter.

SECTION 15. IC 15-16-5-10, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. As used in this chapter, "device" means any instrument or contrivance, other than a firearm, that is intended for trapping, destroying, repelling, or mitigating any pest or any other form of plant or animal life other than bacteria, viruses, or other microorganisms on or in living humans or other living animals. The term does not include equipment used for the application of pesticides when sold separately from the pesticides: **has the meaning set forth in IC 15-16-4-10.**

SECTION 16. IC 15-16-5-14.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14.7. As used in this chapter, "immediate container" has the meaning set forth in IC 15-16-4-18.

SECTION 17. IC 15-16-5-15.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 15.5. As used in this chapter, "label" has the meaning set forth in IC 15-16-4-23.

SECTION 18. IC 15-16-5-16, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. As used in this chapter, "licensed applicator for hire" means any licensed certified commercial applicator who is employed by a licensed pesticide business to use or to supervise the use of any pesticide **product** on the property of another and who has assumed direct responsibility for the use or supervision of the use of ~~pesticides~~ **pesticide products** by the business.

SECTION 19. IC 15-16-5-19, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 19. As used in this chapter, "licensed pesticide business" means any licensed person that owns, operates, or manages a business that is engaged in or professes to be engaged in:

- (1) using any pesticide **product**, including restricted use pesticides; or
- (2) making diagnostic inspections or reports to determine infestations of wood destroying pests.

SECTION 20. IC 15-16-5-29, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 29. As used in this chapter, "plant regulator" means any substance or mixture of substances intended, through physiological action, for:

- (1) accelerating or retarding the rate of growth or rate of maturation; or
- (2) altering the behavior of plants or the produce of plants.

The term does not include substances to the extent they are intended as plant nutrients; trace elements; nutritional chemicals; plant inoculants; or soil amendments: **has the meaning set forth in IC 15-16-4-34.**

SECTION 21. IC 15-16-5-34, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 34. As used in this chapter, "restricted use pesticide" means:

- (1) any pesticide classified as restricted by the administrator of the United States Environmental Protection Agency; or

- (2) a pesticide that the board has determined to be unduly hazardous to persons; animals; plants; wildlife; waters; or lands other than the pests the pesticide is intended to prevent, destroy, control, or mitigate.

has the meaning set forth in IC 15-16-4-37.

SECTION 22. IC 15-16-5-45, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 45. (a) The state chemist shall adopt rules to establish categories and qualifications to certify and license persons to use pesticides and to make diagnostic inspections and reports for wood destroying pests under this chapter. Each category is subject to separate testing procedures and requirements. A person is not required to pay an additional license fee if the person desires to be licensed in more than one (1) of the license categories provided for by the state chemist under this section.

(b) The state chemist, in adopting rules under this section, shall establish **examination content** and standards for the certification of persons who use pesticides or who make diagnostic inspections and reports for wood destroying pests. The **examination content** and standards must relate to the following:

- (1) The hazards involved in the use and handling of pesticides, or to the use and handling of the pesticide or class of pesticides covered by the individual's certification.
- (2) The job responsibilities of the individual using pesticides that are covered by the individual's certification.
- (3) Any relevant information addressed in 40 CFR Part 171.

and must be relative to the hazards involved. In determining standards, the state chemist shall consider the characteristics of the pesticide formulation, including the acute dermal and inhalation toxicity, the persistence, mobility, and susceptibility to biological concentration; the use experience that may reflect an inherent misuse or an unexpected good safety record that does not always follow laboratory toxicological information; the relative hazards of patterns of use, including granular soil applications; ultra-low volume or dust aerial applications; or air blast sprayer applications; and the extent of the intended use. The state chemist shall observe the relevant regulations of Section 4 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135 et seq.).

(c) The state chemist may require a person certified under this chapter as a commercial applicator or a private applicator to renew the person's certification, under requirements and standards established by the state chemist, to assure that the person maintains a level of competence and ability to use pesticides safely and properly.

(d) An individual who is certified and licensed under this chapter must be at least eighteen (18) years of age, as proven by a valid government issued identification or an equivalent form of identification.

SECTION 23. IC 15-16-5-47, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 47. (a) A license issued under this chapter is not transferable except in the event of disability or death of the licensee. The state chemist may transfer a license to an **individual who is a certified applicator** by issuing a temporary permit to provide for the operation of the business until the expiration of the permanent license.

(b) A ~~certificate~~ **certification** issued under this chapter is not transferable.

SECTION 24. IC 15-16-5-48, AS ADDED BY P.L.2-2008, SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 48. (a) Subject to section 55 of this chapter, a person may not engage in or profess to engage in the business of:

(1) using a pesticide; or
 (2) making diagnostic inspections or reports to determine infestations of wood destroying pests; on the property of another for hire at any time without a pesticide business license issued by the state chemist. The state chemist shall require an annual license fee of forty-five dollars (\$45) for each pesticide business license that is issued.

(b) A pesticide business license must be obtained for each **unique business location or business name** from which pesticide use or application is conducted.

(c) The application for a license must be on a form provided by the state chemist. Each application must contain information necessary for the administration of this chapter.

(d) The state chemist may not issue a pesticide business license until the applicant or a pesticide applicator in the applicant's hire who uses or supervises the use of a pesticide on the property of another is certified by passing an examination to demonstrate to the state chemist the applicant's or applicator's knowledge of the:

- (1) use of pesticides under the category for which the applicant or applicator has applied; and
- (2) nature and effect of pesticides the applicant or applicator may apply under the categories.

At least one (1) licensed applicator for hire must be associated with each location from which pesticides are used for hire.

(e) The state chemist may renew any pesticide business license.

(f) Subject to subsections (a), (b), (c), and (d) and section 65 of this chapter, if:

- (1) the state chemist finds the applicant qualified to engage in the business of using pesticides or making diagnostic inspections or reports to determine infestations of wood destroying pests on the property of another;
- (2) the applicant files evidence of financial responsibility required under section 58 of this chapter; and
- (3) the applicant applying for a license involving aerial application of pesticides has met all of the requirements of:

- (A) the Federal Aviation Administration;
- (B) the Indiana department of transportation; and
- (C) any other applicable federal or state statutes or regulations to operate the equipment described in the application;

the state chemist may issue a pesticide business license limited to the categories for which the applicant or a pesticide applicator in the applicant's hire is qualified. The license expires January 1 of the year following issue unless it has been invalidated, revoked, or suspended earlier by the state chemist. A surety bond or certificate of liability insurance in force or certificate of financial responsibility required under section 58 of this chapter must be maintained and in effect on a continuing basis.

(g) The state chemist may limit a license or the operation of a business to the use of certain pesticides, or to certain areas, or to certain types of equipment if the applicant is only so qualified.

(h) If a license is not issued as applied for, the state chemist shall inform the applicant in writing of the reasons the license was not issued.

SECTION 25. IC 15-16-5-52, AS AMENDED BY P.L.99-2012, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 52. (a) A person applying for a license described under section 49, 50, or 51 of this chapter must:

- (1) submit an application to the state chemist on a form provided by the state chemist;
- (2) pass the appropriate examination provided under section 45 of this chapter;
- (3) except for a person who is:
 - (A) applying for a licensed public applicator's license; or

(B) an employee of a nonprofit organization; submit a fee of forty-five dollars (\$45) to the state chemist; and

(4) if the person will engage in the aerial application of pesticides, submit proof to the state chemist that the person has satisfied aerial application requirements under applicable state and federal laws.

(b) Subject to section 65 of this chapter, if a person meets the requirements under subsection (a), the state chemist shall issue the appropriate license to the person, **including satisfying all outstanding judgments resulting from a violation of this chapter, after any action has been finalized under section 67 of this chapter.**

(c) If the state chemist does not issue a license to a person who applied for a license described under subsection (a), the state chemist shall inform the person in writing of the reason the license was not issued.

(d) A person who has been issued a license under subsection (b):

- (1) shall notify the state chemist in writing within ten (10) days after a change in or termination of the person's employment as a licensed applicator for hire, a licensed applicator not for hire, or a licensed public applicator; and
- (2) may apply to the state chemist to transfer or amend the person's license by submitting an updated application form described under subsection (a)(1).

(e) A license issued under subsection (b):

- (1) expires January 1 of each year; and
- (2) subject to section 65 of this chapter, may be renewed by the person holding the license if the person:
 - (A) submits a renewal application on a form provided by the state chemist; and
 - (B) except for a person renewing a licensed public applicator's license or an employee of a nonprofit organization, pays a forty-five dollar (\$45) renewal fee; before January 1.

SECTION 26. IC 15-16-5-54, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 54. (a) A private applicator may not be issued a permit to use a restricted use pesticide without first:

- (1) complying with the certification requirements, including passing an examination, determined by the state chemist necessary to prevent unreasonable adverse effects on the environment, including injury to the applicator or other persons; **and**

(2) **satisfying all outstanding judgments resulting from a violation of this chapter, after any action has been finalized under section 67 of this chapter.**

(b) Certification standards to determine a person's competency with respect to the use and handling of the pesticide or class of pesticides that the private applicator is to be certified to use must be relative to hazards as described in section 45 of this chapter. In determining these standards, the state chemist shall observe those standards for private applicator certification provided by the U.S. Environmental Protection Agency.

(c) A fee of twenty dollars (\$20) must be paid to the state chemist by each person applying for a certification as a private applicator under this section.

(d) If the state chemist does not certify the private applicator under this section, the state chemist shall inform the applicant of the reasons the applicant was not certified and return the applicant's application fee.

(e) The state chemist may require additional knowledge to ensure that applicators continue to meet the requirements of changing technology and to assure a continuing level of competence and ability to use pesticides safely and properly.

SECTION 27. IC 15-16-5-55, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 55. Section 48 of this

chapter relating to **pesticide business** licenses and requirements for their issuance does not apply to the following:

(1) A farmer who applies pesticides for the farmer's own use or with ground equipment or manually for the farmer's neighbors if:

(A) the farmer operates farm property and operates and maintains pesticide application equipment primarily for the farmer's own use;

(B) the farmer is not engaged in the business of applying pesticides for hire and the farmer does not publicly profess to be a pesticide business;

(C) the farmer operates the farmer's pesticide application equipment only in the vicinity of the farmer's own property and for the accommodation of the farmer's neighbors **without any compensation**; and

(D) the farmer is certified as a private applicator if the farmer uses restricted use pesticides.

(2) A veterinarian who uses pesticides as an incidental part of the veterinarian's practice, if the veterinarian is not regularly engaged in or does not profess to be engaged in the business of using pesticides for hire.

(3) Research personnel applying **general use** pesticides only to bona fide experimental plots.

(4) A person who uses nonrestricted general use pesticides for purposes of disinfecting or sanitizing, unless a license is required by a rule established by the board.

SECTION 28. IC 15-16-5-59, AS ADDED BY P.L.120-2008, SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 59. (a) Commercial applicators, **private applicators**, and licensed pest inspectors shall maintain records concerning:

(1) the application of restricted use pesticides;

(2) the application of pesticides for hire;

(3) the application of pesticides on golf courses;

(4) the application of pesticides on school property;

~~(5)~~ (5) diagnostic inspections to determine infestations of wood destroying pests; and

~~(6)~~ (6) any relevant information that the state chemist determines by rule is necessary for purposes of this chapter.

~~(b) The state chemist may require certified applicators to maintain records related to applications of state restricted pesticide uses.~~

~~(c)~~ (b) Records required under this section must be kept for:

(1) two (2) years after the date of the inspection or the application of the pesticide; or

(2) the time specified by rule.

~~(d)~~ (c) The state chemist shall be provided access to the records ~~by the commercial applicator or licensed pest inspector~~ **required to be maintained under this section.**

SECTION 29. IC 15-16-5-65, AS AMENDED BY P.L.99-2012, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 65. Subject to section 66 of this chapter, the state chemist under IC 4-21.5-3-6 may warn, cite, or impose a civil penalty on a person for a violation under this chapter. The state chemist may also deny, suspend, revoke, or modify any provision of any license, permit, registration, or certification issued under this chapter if the state chemist finds that the applicant or the holder of a license, permit, registration, or certification has committed any of the following acts, each of which is a violation of this chapter:

(1) Made false or fraudulent claims either verbally or through any media misrepresenting the effect of pesticide products or methods to be used.

(2) Recommended, used, or supervised the use of any registered pesticide product in a manner inconsistent with its labeling approved by the United States Environmental Protection Agency or Indiana state registration for that pesticide, or in violation of the United States

Environmental Protection Agency or Indiana state restrictions on the use of that pesticide product.

(3) Used known ineffective or improper pesticide products or known ineffective amounts of pesticides.

(4) Operated faulty or unsafe equipment.

(5) Operated in a careless or negligent manner.

(6) Neglected or, after notice, refused to comply with this chapter, the rules adopted under this chapter, or of any lawful order of the state chemist or the board.

(7) Refused or neglected to:

(A) keep and maintain the records required by this chapter; or

(B) make reports and supply information when required or requested by the state chemist in the course of an investigation or inspection.

(8) Made false or fraudulent records, invoices, or reports.

(9) Engaged in or professed to be engaged in the business of:

(A) using a pesticide or any other product regulated under this chapter or by rules adopted under this chapter; or

(B) making a diagnostic inspection to determine infestations of a wood destroying pest;

for hire on the property of another without having a business license issued by the state chemist.

~~(10) Used a restricted use or supervised the use of a pesticide product that is required to be used under this chapter by a person who is certified, licensed, or permitted without having an applicator; a person who is certified, licensed, or permitted under this chapter in direct supervision: conducting the use.~~

~~(11) Used fraud or misrepresentation in making an application the qualification or application for, or renewal of, a license, permit, registration, or certification.~~

(12) Refused or neglected to comply with any limitations or restrictions on or in a duly issued license, permit, registration, or certification.

(13) Aided or abetted a person to evade this chapter, conspired with a person to evade this chapter, or allowed a license, permit, registration, or certification to be used by another person.

(14) Made false or misleading statements during or after an inspection concerning any infestation or infection of pests.

(15) Impersonated any federal, state, county, or city inspector, investigator, or official.

(16) Knowingly purchased or used a pesticide product that was not registered under IC 15-16-4.

(17) Failed to continuously maintain financial responsibility required under section 58 of this chapter or to provide proof of financial responsibility to the state chemist when requested.

(18) Intentionally altered a duly issued license, permit, registration, or certification.

(19) Recklessly, knowingly, or intentionally impeded or prevented the state chemist or the state chemist's agent from performing a duty of the state chemist.

SECTION 30. IC 15-16-5-66, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 66. (a) The state chemist may impose civil penalties only in accordance with **this chapter and the schedule of civil penalties adopted by the board.**

(b) Except for use violations subject to the criteria established in subsection (d), the board shall establish a schedule of civil penalties that may be imposed under section 65 of this chapter by rule adopted under IC 4-22-2. The rule adopted under this subsection may not provide for a civil penalty that exceeds the following:

~~(1) For a violation committed by a person who is required to be certified as a private applicator, one hundred dollars~~

~~(\$100).~~

(2) For a violation by a person who is not described in subdivision (1), the following:

~~(A) Two~~ (1) Five hundred fifty dollars ~~(\$250)~~ (\$500) for a person's first violation.

~~(B) Five hundred~~ (2) One thousand dollars ~~(\$500)~~ (\$1,000) for a person's second violation.

~~(C) One~~ (3) Two thousand dollars ~~(\$1,000)~~ (\$2,000) for a person's third violation and each subsequent violation.

(c) If a violation is of a continuing nature, the state chemist may impose a civil penalty for each day that the violation occurred.

(d) The state chemist shall impose the following penalties for the following violations of this chapter:

(1) A person who:

(A) applies a pesticide without a required license, registration, certification, or permit under this chapter;

(B) makes a misrepresentation with respect to the person's status as the holder of a license, registration, certification, or permit issued under this chapter; or

(C) fails to comply with any requirements applicable to a pesticide business license;

shall be assessed a penalty of five hundred dollars (\$500) for the first offense and a penalty of one thousand dollars (\$1,000) for a subsequent offense.

(2) A person who sells a restricted use pesticide to an applicator who is not licensed or certified to apply a restricted use pesticide shall be assessed a penalty of one thousand dollars (\$1,000).

(3) A person who sells a restricted use pesticide and who fails to register with the state chemist as a registered pesticide dealer shall be assessed a penalty of one thousand dollars (\$1,000).

(4) A person who violates a stop sale order issued by the state chemist shall be assessed a penalty of one thousand five hundred dollars (\$1,500) for each pesticide product that is in violation of the order.

(5) A person who violates a stop use order issued by the state chemist shall be assessed a penalty of two thousand five hundred dollars (\$2,500).

(e) Subject to the criteria established in subsection (f), for a use violation of this chapter, the state chemist shall impose the following penalty in accordance with this subsection:

(1) For a violation that receives not more than eight (8) points, the state chemist shall impose no civil penalty.

(2) For a violation that receives at least nine (9) points but no more than eleven (11) points, the state chemist shall impose a penalty of two hundred fifty dollars (\$250) on the person.

(3) For a violation that receives at least twelve (12) points but not more than thirteen (13) points, the state chemist shall impose a penalty of five hundred dollars (\$500) on the person.

(4) For a violation that receives at least fourteen (14) points but not more than sixteen (16) points, the state chemist shall impose a penalty of seven hundred fifty dollars (\$750) on the person.

(5) For a violation that receives at least seventeen (17) points but not more than nineteen (19) points, the state chemist shall impose a penalty of one thousand dollars (\$1,000) on the person.

(6) For a violation that receives at least twenty (20) points but not more than twenty-one (21) points, the state chemist shall impose a penalty of two thousand five hundred dollars (\$2,500) on the person.

(7) For a violation that receives at least twenty-two (22) points but not more than twenty-five (25) points, the state chemist shall impose a penalty of not more than five thousand dollars (\$5,000) on the person.

(8) For a violation that receives at least twenty-six (26) points but not more than twenty-nine (29) points, the state chemist shall impose a penalty of not more than seven thousand five dollars (\$7,500) on the person.

(9) For a violation that receives thirty (30) points or more, the state chemist shall impose a penalty of ten thousand dollars (\$10,000) on the person.

(f) The state chemist shall use the following criteria to establish the point value for use in computing the total number of violation points for a penalty imposed under subsection (e):

(1) The following point value shall be assessed based on the adverse effect incurred:

(A) If the violation resulted in exposure to nontarget site or animals with no adverse effect, the state chemist shall assign a point value of one (1).

(B) If the violation resulted in exposure to humans with no adverse effect, the state chemist shall assign a point value of four (4).

(C) If the violation resulted in exposure to nontarget site with adverse effect, the state chemist shall assign a point value of two (2).

(D) If the violation resulted in exposure to animals with adverse effect, the state chemist shall assign a point value of four (4).

(E) If the violation resulted in exposure to humans with adverse effect, the state chemist shall assign a point value of six (6).

(2) The following point value shall be assessed based on the category of product used:

(A) If the product is general use, the state chemist shall assign a point value of one (1).

(B) If the product is restricted use, the state chemist shall assign a point value of four (4).

(3) The following point value shall be assessed based upon the following degrees of responsibility involved in the violation:

(A) If the degree of responsibility is accidental, such as an equipment malfunction, the state chemist shall assign a point value of two (2).

(B) If the degree of responsibility is negligence, the state chemist shall assign a point value of four (4).

(C) If the degree of responsibility is knowing or intentional, the state chemist shall assign a point value of ten (10).

(4) The following point value shall be assessed based upon the person's previous three (3) year history of violations:

(A) If the person has received a warning letter, the state chemist shall assign a point value of two (2).

(B) If the person has been convicted of a criminal penalty under this chapter or has committed a violation of this chapter for which the state chemist has imposed a penalty, the state chemist shall assign a point value of five (5).

(C) If the person has had the person's license, permit, certification, or registration issued under this chapter suspended or revoked, the state chemist shall assign a point value of seven (7).

(5) The following point value shall be assessed based on the following types of violations:

(A) If the person's violation is the result of inaccurate record keeping, the state chemist shall assign a point value of one (1).

(B) If the person's violation is a result of:

(i) the lack of supervision;

(ii) the use of faulty equipment; or

(iii) the use of a pesticide that is contrary to the directions printed on the label and that exposes the person to the pesticide;

the state chemist shall assign a point value of two

(2).

(C) If the person's violation is a result of:

(i) the use of a pesticide that is contrary to the directions printed on the label and that results in the pesticide's exposure to another person;

(ii) the use of a pesticide that is contrary to the directions printed on the label concerning precautionary statements, sites, rates, or other restricted use requirements applicable to the pesticide; or

(iii) the storage or disposal of a pesticide that is contrary to the directions printed on the label; the state chemist shall assign a point value of three (3).

(D) If the person's violation results in:

(i) water contamination; or

(ii) pesticide drift;

the state chemist shall assign a point value of three (3).

(E) If the person's violation results in direct application to a nontarget site, the state chemist shall assign a point value of four (4).

(F) If the person's violation involves:

(i) the falsification of a record;

(ii) the person's failure to secure a license, permit, registration, or certification required under this chapter; or

(iii) a violation of an order issued by the state chemist with respect to a license, permit, registration, or certification issued under this chapter;

the state chemist shall assign a point value of six (6).

(g) A proceeding under IC 4-21.5-3 that involves a civil penalty may be consolidated with any other proceeding commenced under IC 4-21.5 to enforce this chapter or the rules adopted under this chapter.

(h) Money collected for civil penalties imposed under section 65 of this chapter shall be credited to the office of Purdue pesticide programs. The money may be used only to provide education about pesticides."

Delete pages 2 through 5.

Page 6, delete lines 1 through 41.

Renummer all SECTIONS consecutively.

(Reference is to HB 1119 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

LEHE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred House Bill 1330, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 2, delete "every" and insert "a".

Page 2, line 5, delete "shall" and insert "may".

(Reference is to HB 1330 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 1.

LEHE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: The committee appointed to act with a like committee of the Senate to wait upon the Governor and to escort

him to the Chamber of the House of Representatives to deliver his message to the General Assembly begs leave to report that it has performed the duties assigned to it.

BURTON
WOLKINS
CHYUNG
KLINKER

Motion prevailed.

COMMITTEE REPORT

Mr. Speaker: The committee appointed to act with a like committee of the Senate to wait upon the Chief Justice and to escort her to the Chamber of the House of Representatives to deliver her message to the General Assembly begs leave to report that it has performed the duties assigned to it.

STEUERWALD
YOUNG
BAUER
DELANEY

Motion prevailed.

OTHER BUSINESS ON THE SPEAKER'S TABLE

[Journal Clerk's Note: Upon the request of Representative McNamara, the Speaker requested a moment of silence for the passing of the Founding President of Southern Indiana, Dr. David L. Rice.]

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as coauthor of House Bill 1043.

DAVISSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Moed be added as coauthor of House Bill 1044.

HARRIS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Ellington and Hamilton be added as coauthors of House Bill 1049.

HEATON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Karickhoff be added as coauthor of House Bill 1070.

SULLIVAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hatfield be added as coauthor of House Bill 1076.

PRYOR

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pfaff be added as coauthor of House Bill 1082.

HEATON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Burton, Morris and Judy be added as coauthors of House Bill 1088.

STUTZMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Davisson and Schaibley be added as coauthors of House Bill 1090.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Miller be added as coauthor of House Bill 1093.

ZIEMKE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Boy be added as coauthor of House Bill 1099.

MANNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Ellington, Lauer and Hatfield be added as coauthors of House Bill 1109.

LEHMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives VanNatter and Judy be added as coauthors of House Bill 1115.

MORRIS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Gutwein be added as coauthor of House Bill 1129.

LAUER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as coauthor of House Bill 1133.

MOED

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as coauthor of House Bill 1134.

MOED

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Klinker and Moseley be added as coauthors of House Bill 1151.

MAYFIELD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Miller be added as coauthor of House Bill 1188.

BARTELS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Morris and Baird be added as coauthors of House Bill 1195.

JUDY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Gutwein be added as coauthor of House Bill 1203.

CHERRY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Austin be added as coauthor of House Bill 1219.

SHACKLEFORD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Errington be added as coauthor of House Bill 1226.

HAMILTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Schaibley and Aylesworth be added as coauthors of House Bill 1228.

HAMILTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Fleming be added as coauthor of House Bill 1232.

BAIRD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Stutzman, Pierce and Hatfield be added as coauthors of House Bill 1234.

KARICKHOFF

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Harris be added as coauthor of House Bill 1265.

JACKSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Wesco, Borders and Moseley be added as coauthors of House Bill 1267.

HOSTETTLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Pressel and Soliday be added as coauthors of House Bill 1286.

MOSELEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Morrison be added as coauthor of House Bill 1288.

MOSELEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Moed and Cook be added as coauthors of House Bill 1330.

HAMILTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Behning and Burton be added as coauthors of House Bill 1341.

PFAFF

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Torr be added as coauthor of House Bill 1343.

HOSTETTLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Cherry and Sullivan be added as coauthors of House Bill 1347.

GUTWEIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Gutwein and Negele be added as coauthors of House Bill 1366.

LEHE

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative V. Smith, the House adjourned at 11:46 a.m., this sixteenth day of January, 2020, until Tuesday, January 21, 2020, at 1:30 p.m.

BRIAN C. BOSMA

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives